

Testimony of Mr. Richard Lauber, Chairman

North Pacific Fishery Management Council

to the

Senate Subcommittee on Oceans and Fisheries

July 29, 1999

Good morning Senators, and thank you for the opportunity to offer comments related to implementation of the Magnuson-Stevens Fishery Conservation and Management Act. As requested, my comments will focus on implementation of the 1996 amendments (the Sustainable Fisheries Act), and you will find more detailed comments attached to my summary oral comments. Also attached is a copy of the recommendations which arose from the Council Chairman's meeting which was held last month in Rhode Island. These are consensus recommendations from the eight Regional Councils regarding the upcoming reauthorization of the Act. I believe these recommendations were provided last week to the House Subcommittee on Fisheries, Conservation, Wildlife, and Oceans by Joseph Brancalone, Chairman of the New England Council. I provide these collective Council recommendations for your reference and would be happy to try and answer any questions related to those recommendations. For now however, I will return my comments to implementation of the 1996 amendments.

In addition to provisions which apply to all the Nation's fisheries, there were as you know many provisions in the 1996 amendments which were specific to the North Pacific Council and the fisheries off Alaska. Beginning in late 1996 and continuing to the present the North Pacific Council, along with the National Marine Fisheries Service - Alaska Region, have devoted a tremendous amount of time and energy to implementing the provisions contained in those amendments. I am happy to say that those efforts have paid off, and that implementation of those amendments has improved our fishery management process and strengthened the long-term viability of an already healthy fishery resource in the North Pacific. I would like to take this opportunity to toot our own horn a bit and note that the North Pacific Council had already initiated several conservation related management programs at the time of passage of the SFA, and that the amendments therein provided both a mandate to follow through on those initiatives as well as a mandate for additional measures. I can assure you that the fish harvesters and processors in the North Pacific are as dedicated as anyone to preserving and maintaining the health of our fisheries and oceans, and we welcome the past and future efforts of Congress to provide us the tools to realize that goal.

I would like at this time to make note of the supplemental materials I have provided - you will find these in the white folder with our Council logo - which summarize the overall management philosophy of the North Pacific Council and provide examples of what we are doing as fisheries managers to protect these fisheries, and to incorporate habitat considerations and a broader perspective of ecosystem management. I hope you find these materials useful and I believe they

will serve to instill some confidence that we are, with your guidance, operating as responsible stewards of our national marine resources off Alaska. I would like to speak further to some of the Council's actions in response to the provisions of the SFA. Most of those provisions are fully addressed by Council actions since 1996 while others are in the iterative stages of implementation.

Again, details on our implementation schedule for all issues covered by the 1996 amendments are contained in the attachment that has been provided. I would like to spend the remainder of my time briefly addressing a few of the specific actions that we have taken to implement the mandates of the SFA.

Overfishing definitions: Overfishing definitions, according to the mandates of the SFA, are now in place for all species managed by our Council. With the exception of Tanner crab, there are no overfished species in the North Pacific, though we actively manage over 100 species, or species complexes, of groundfish and crab. Tanner crab is the subject of an aggressive rebuilding plan drafted by the Council, National Marine Fisheries Service, and Alaska Department of Fish and Game, which is schedule for implementation this January.

Essential Fish Habitat: As required we have developed a comprehensive description of essential fish habitat for all species we manage, and are now concentrating on identification of Habitat Areas of Particular Concern (HAPC), based on ecological function and vulnerability to man-made impacts. Concurrent with that effort will be the necessity to evaluate potential impacts of fishing gears and implement additional measures as necessary. Our Council has found the use of marine protected areas to be a particularly useful tool for managing bycatch and protecting habitat. Vast areas of the North Pacific have been permanently closed to groundfish trawling and scallop dredging to protect habitat and juvenile crab. These marine protected areas comprise a relatively large portion of the continental shelf, and in many respects, serve as marine reserves. In the Bering Sea, habitat area closures encompass about 30,000 square nautical miles. To put this in perspective, this is an area larger than Indiana or Maine and more than twice the size of Georges Bank off the east coast of the United States.

Bycatch Reduction: Bycatch has been a focal issue for the Council over its 23 year existence and we spend a significant amount of our time addressing bycatch management, allocation, and reduction. Since enactment of the 1996 amendments the Council has taken the following specific actions:

- *Banned on-bottom trawling for pollock

- *Established an incremental chinook salmon bycatch reduction in trawl fisheries from 48,000 chinook down to 29,000 chinook by year 2003.

- *Are developing, in cooperation with industry, a halibut mortality avoidance program (HMAP).

- *Reduced the maximum retainable bycatch (MRB) amount for several species, including sablefish and rockfish.

Additional measures have been proposed and are awaiting development pending other pressing Council issues such as Steller sea lion protection and implementation of the American Fisheries

Act.

Waste and Discard Reductions: Among the provisions of the SFA is the reduction of economic discards. The Council has implemented an Improved Retention and Utilization Program (IR/IU) which took effect beginning in 1998, and which prohibits the discard of all pollock and Pacific cod in all North Pacific fisheries, regardless of gear type or fishery. This measure has dramatically reduced overall discards of groundfish. For example in 1997, about 22,100 mt of cod (8.6% of the cod catch) and 94,800 mt of pollock (8.2% of the pollock catch) were discarded. In 1998, discard amounted to only 4,300 mt of cod (2.2%) and 16,200 mt of pollock (1.6%). These rates are not 0% as might be expected because at certain times of the year regulatory discards come into play, which are required to avoid exceeding the total allowable catch (TAC). A regulation requiring full retention of all demersal shelf rockfish species was adopted in 1999. Flatfish retention will be required beginning in 2003 - the delay will allow for development of new markets and gear technological responses by the vessels engaged in these fisheries. These overall retention requirements are expected to reduce total discard rates (all species) from about 15% to about 5%.

Total Catch Measurement: One section of the SFA requires the Council to develop and submit measures to ensure total catch measurement in each fishery under our jurisdiction, and to require weighing of all fish if necessary. I feel confident when I say that North Pacific fisheries are the most tightly managed and monitored in the U.S. Between the National Marine Fisheries Service in-season management division, the Alaska Department of Fish and Game fish ticket system, catch reporting requirements, the U.S. Coast Guard, the NMFS Enforcement Division, our comprehensive on-board fisheries observer program, and requirements for weighing of fish in many of our fisheries, we have a good handle on the amounts of catch, bycatch, and discards occurring in the North Pacific. The Council initiated scale requirements for some of the pollock fisheries as early as 1994 to help tighten catch estimates. In specific response to the mandates of the SFA, our Council has undertaken a review of our estimation procedures which has included an assessment from the National Marine Fisheries Service, an assessment from the Alaska Department of Fish and Game, and an in-depth assessment by our Scientific and Statistical Committee (SSC) which is comprised of some of the most respected stock assessment scientists and fish population dynamics experts in the country. These assessments have resulted in suggestions for incremental improvements to our existing program, but overall have endorsed our catch measurement system as adequate, specifically in reference to the mandates of the SFA. The SSC comments conclude with the statement "*In many respects, the system in place is better than any found around the world*". Additional actions taken by the Council in 1998 include: (1) initiation of a requirement for either certified bins or scales in all pollock and yellowfin sole fisheries; (2) initiation of a framework plan to evaluate and improve catch estimation fishery by fishery; and, (3) began a formal process for the SSC to annually review sampling methods and catch estimation procedures.

In summary Madame Chairperson, I do not pretend that our system is perfect by any means, or that there is not room for improvements, whether those improvements originate in the Council arena or in the Congressional arena. Our Council respects the intent of the 1996 amendments and has worked extremely hard to effect that intent. We also stand ready to respond to any new

amendments that come out of the pending reauthorization and to provide any input into that process that you require. Again, I appreciate the opportunity to speak to you today on these issues. Thank you.